

**United States District Court
Southern District of Ohio
Western Division
Cincinnati, Ohio**

JOHN SAYYAH, et al.,
Plaintiff

Civil Action No. C-1-01-459

vs.

Weber, J.; Black, M.J.

WAYNOKA PROPERTY OWNERS
ASSOCIATION, INC., et al.,
Defendants

**PRELIMINARY PRETRIAL CONFERENCE NOTICE
PURSUANT TO FED. R.CIV.P. 16 AND 26(f)**

Effective December 1, 2000, significant revisions were made to the Federal Rules of Civil Procedure, with the result that the Southern District of Ohio no longer has the authority to opt-out of either the MANDATORY DISCLOSURE RULES of Fed. R. Civ. P. 26(a)(1), or the MANDATORY DISCOVERY CONFERENCE of counsel and any *pro se* parties required by Fed. R. Civ. P. 26(f). Accordingly, as soon as practicable, but, in any event, no later than receipt of this notice, all counsel and any *pro se* parties shall agree on a date for their Discovery Conference as required by Fed. R. Civ. P. 26(f). In addition, the parties must file the Report required by said Rule (*see* attached form) not later than 14 days after the Discovery Conference held by the parties. Unless otherwise agreed in the Discovery Plan, the parties shall make the disclosures required by Fed. R. Civ. P. 26(a)(1) at or within 14 days after the Discovery Conference.

It is therefore ORDERED that the parties comply with the above mandates of Fed. R. Civ. P. 26(f) and file the Rule 26(f) Report of the Parties by **JULY 15, 2004**. The Court will thereafter, pursuant to Rule 16(b), enter a Calendar Order, or will set and hold a Scheduling Conference after which a Calendar Order will be issued.

s/Jan Lahley
Courtroom Deputy/Administrative Assistant
for Magistrate Judge

United States District Court
Southern District of Ohio
Western Division
Cincinnati, Ohio

Plaintiff

Case No.

vs

RULE 26(f) REPORT OF THE PARTIES

Defendant

1. Pursuant to Fed. R. Civ. P. 26(f), a meeting was held on _____, and was attended by:
_____ Counsel for plaintiff _____
_____ Counsel for plaintiff _____
_____ Counsel for plaintiff _____
_____ Counsel for defendant _____
2. The parties:
_____ have exchanged the discovery disclosures required by Rule 26(a)(1)
_____ will exchange such disclosures by _____
_____ are exempt from disclosure under Rule 26(a)(1)(E)
_____ have agreed not to make initial disclosures.
3. The parties:
_____ do not unanimously consent to the jurisdiction of, and entry of judgment by, the United States Magistrate Judge pursuant to 28 U.S.C. §636 (c)
_____ unanimously consent to the jurisdiction of, and entry of judgment by, the United States Magistrate Judge pursuant to 28 U.S.C. §636 (c)
4. Recommended cut-off date for filing any motion to amend the pleadings and/or to add additional parties: _____
5. Is this case appropriate for mediation after a limited discovery period? _____
Will the parties request the services of a court mediator? _____
Has a settlement demand been made? _____
Date by which a settlement demand can be made? _____
Date by which a response can be made to settlement demand? _____
6. Recommended Discovery Plan:
A. Describe the subjects on which discovery is to be sought and the nature and extent of discovery that each party needs to: (1) make a settlement evaluation,

(2) prepare for case dispositive motions and (3) prepare for trial:

- B. What changes should be made, if any, in the limitations on discovery imposed under the Federal Rules of Civil Procedure or the S.D. Ohio Civ. Rules, including the limitations to 25 interrogatories, 40 requests for admissions, and the limitation of ten depositions, each lasting no more than one seven-hour day?

- C. Additional recommended limitations on discovery:

- D. Describe the areas for which expert testimony is expected and indicate whether each expert will be specially retained within the meaning of Fed. R. Civ. P. 26(a)(2).

- E. Recommended date for identifying primary experts: _____

- F. Recommended date for producing primary expert reports: _____

- G. Recommended date for identifying rebuttal experts: _____

- H. Recommended date for producing rebuttal expert reports: _____

- I. Recommended discovery cut-off date: _____

7. Recommended Dispositive Motion Deadline date: _____

8. Recommended date for Joint Pretrial Order: _____
(at least 30 days before trial date)

9. Recommended date for trial term: _____

10. Other matters for the attention of the Court:

SIGNATURES:

Attorneys for Plaintiff

Attorneys for Defendant or Third Parties:

Ohio Bar #
Trial Attorney for

Ohio Bar #
Trial Attorney for

Ohio Bar #
Trial Attorney for

Ohio Bar #
Trial Attorney for

Ohio Bar #
Trial Attorney for

Ohio Bar #
Trial Attorney for